

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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AMMIMADAB YISRAEL-BEN LEVY,  
formerly known as Gillium Levy,

Plaintiff,

v.

ORDER

09-cv-279-slc

C. HOLINKA, MARION FEATHERS, BILL L. JONES,  
R. MARTINEZ, LIEUTENANT MARTEN,  
CHARLES LOCKETT and HARRELL WATTS,

Defendants.

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Plaintiff is proceeding on claims against defendants under the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb-1, and the First and Fifth Amendments. On December 18, 2009, defendants responded by filing a motion to dismiss the complaint for plaintiff's failure to exhaust available administrative remedies with respect to all but one of his claims (that plaintiff was denied the right to purchase and wear a turban) and for plaintiff's failure to state a claim for relief against defendants Lockett, Watts and Martinez. Alternatively, defendants request that this court enter summary judgment in their favor on all plaintiff's claims pursuant to Fed. R. Civ. P. 56. Dkt. 31.

Because we have not yet held the preliminary pretrial conference, plaintiff has received a copy of this court's procedures for filing or opposing motions like these. For this reason, I will delay the briefing defendants' motion until after I have held a pretrial conference in this case.

IT IS ORDERED that defendants' motion to dismiss or, in the alternative, for summary judgment, dkt. 33, is STAYED. A pretrial conference will be held by telephone on January 15, 2010 at 9:30 a.m.

Entered this 21<sup>st</sup> day of December, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge